# MINUTES FOR THE COURT OF APPEAL STATE OF CALIFORNIA SECOND APPELLATE DISTRICT

# **January 17, 2006**

#### **DIVISION TWO**

B184852 Biosense Webster, Inc. (Certified for Publication)

v.

Superior Court, Los Angeles County

(Deana Dowell, et al., r.p.i.)

Let a writ of mandate issue, directing the respondent court to vacate its TRO. The stay of the hearing on the OSC is dissolved. Petitioner to recover its costs.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.

Chavez, J.

#### **DIVISION THREE**

B184339 People (Not for Publication)

v. Conto

The judgment (order revoking probation) is affirmed.

Klein, P.J.

We concur: Kitching, J.

Aldrich, J.

#### DIVISION FOUR

B179537 ARP Pharmacy Services, Inc. (Certified for Publication)

B181354 v.

Gallagher Bassett Services, Inc. et al.

The judgment and order are affirmed. The parties are to bear their own costs on appeal.

Epstein, P.J.

We concur: Curry, J.

Willhite, J.

B180194 Godinez (Not for Publication)

v.

Godinez

The order of the family court is affirmed.

Curry, J.

We concur: Epstein, P.J.

Willhite, J.

B178416 Galindo (Not for Publication)

v.

Board of Directors of Latin American Civic Association et al.

The judgment is amended to reflect a dismissal of all respondents with prejudice from the action. As so amended, the judgment is affirmed. Respondents shall have their costs on appeal.

Hastings, J.

We concur: Epstein, P.J.

Willhite, J.

### DIVISION FOUR (Continued)

B177274 People (Not for Publication)

v. Tobar

The judgment is affirmed.

Curry, J.

We concur: Epstein, P.J.

Willhite, J.

#### **DIVISION FIVE**

B181639 People (Not for Publication)

v.

Coy Watson

The judgment as to count 2 is affirmed. The judgment as to count 1 is conditionally reversed as described in the body of this opinion. The clerk of superior court is directed to prepare and deliver to the Department of Corrections an amended abstract of judgment which accurately sets forth: the Penal Code section 1202.4 fine in the amount of \$200; the Penal Code section 1202.45 parole violation fine of \$200; the Health and Safety Code section 11372.5, subdivision (a) \$50 laboratory analysis fee; and the penalty assessments imposed pursuant to Penal Code section 1464, subdivision (a) and Government Code section 76000, subdivision (a).

Turner, P.J.

We concur: Armstrong, J.

Kriegler, J.

## **DIVISION SIX**

B176158 People (Not for Publication)

v. To

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.

Perren, J.

B182547 People (Not for Publication)

v. Luney

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.

Perren, J.

B174799 Lopez (Not for Publication)

v.

Peoples Self-Help Housing Corp.

The judgment is affirmed. Costs to respondents.

Yegan, Acting P.J.

I concur: Coffee, J.

I dissent: Perren, J. (Opinion)

### **DIVISION SIX (Continued)**

B181951 People (Not for Publication)

v. Fields

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J. Perren, J.

B178605 Singh et al., (Not for Publication)

v.

Bains et al.,

We affirm the judgment for compensatory damages but reverse the denial of appellants' motions for JNOV on punitive damages. The matter is remanded to the trial court with directions to enter JNOV for appellants and strike the award for punitive damages. (Code Civ. Proc., section 629; Eisenberg & Horvitz, Cal. Practice Guide, Civil Appeals and Writs, *supra*, 14:147.2, p.14-45.) "The effect of [Code of Civil Procedure] section 629 is that a reversal on appeal for insufficiency of the evidence concludes the litigation just as it would have been concluded if the trial court had correctly entered judgment notwithstanding the verdict." (*Bank of America v. Superior Court, supra*, 220 Cal.App.3d at p. 624.) The parties shall bear their own costs and fees on appeal.

Yegan, J.

We concur: Gilbert, P.J.

Coffee, J.

### DIVISION SIX (Continued)

B185125 People (Not for Publication)

v.

Amaya

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.

Perren, J.

## **DIVISION SEVEN**

B181028 People (Not for Publication)

v.

Ranger Insurance Company

The judgment is reversed and the matter is remanded to the trial court with directions to vacate the forfeiture and exonerate the undertaking. Appellant is awarded its costs on appeal.

Johnson, J.

We concur: Perluss, P.J.

Woods, J.

B184669 People (Not for Publication)

v.

Sanchez

The appeal is dismissed.

Johnson, J.

We concur: Perluss, P.J.

Woods, J.

### DIVISION SEVEN (Continued)

B179874 People (Not for Publication)

v. Lopez

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.

Zelon, J.

B179146 Torres (Certified for Publication)

v. Torres

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur: Perluss, P.J.

Woods, J.

B183361 In re D.D, a Minor (Not for Publication)

Los Angeles County, D.C.S.

v.

Lashawnda R.

The order is affirmed.

Zelon, J.

We concur: Johnson, Acting P.J.

Woods, J.

#### DIVISION SEVEN (Continued)

B169626 Meco et al. (Not for Publication)

v.

Novaspes, Inc., et al.

The judgments of dismissal as to Novaspes and, NRI, the College, Mark Clark, Clark Pharmacy and Keime are affirmed. Respondents are awarded their costs on appeal.

Zelon, J.

We concur: Perluss, P.J. Woods, J.

B180570 People (Not for Publication)

v.

Lincoln General Insurance Company

The judgment is reversed and remanded to the trial court to order the bail exonerated. Lincoln shall recover its costs on appeal.

Zelon, J.

We concur: Johnson, Acting P.J. Woods, J.

#### **DIVISION EIGHT**

B175351 Hastings,

V.

Lyon Management Group, Inc., et al.,

Filed order denying petition for rehearing.

#### DIVISION EIGHT (Continued)

B180308 Carson Gardens, L.L.C.,

(Certified for Publication)

v.

The City Of Carson Mobilehome Park Rental Review Board,

The order is reversed and the cause is remanded to the trial court with instructions to vacate its order mandating a rent increase of \$113.36 per space per month, and to issue a new order remanding the action to the Board for further consideration, on the present administrative record, in accordance with trial court's April 2003 peremptory writ ordering the consideration of debt service costs and in accordance with the views expressed in this opinion. The parties are to bear their own costs on appeal.

Boland, J.

We concur: Cooper, P.J.

Rubin, J.